

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2012-363-T - ORDER NO. 2013-648
SEPTEMBER 18, 2013

IN RE: Application of FireMan's Carry, LLC for a)	ORDER GRANTING
Class E (Household Goods) Certificate of)	CLASS E CERTIFICATE
Public Convenience and Necessity for)	WITH CONDITIONS
Operation of Motor Vehicle Carrier)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Application of FireMan’s Carry, LLC (“Applicant” or “FireMan’s Carry”) for a Class E (Household Goods) Certificate of Public Convenience and Necessity. The Applicant seeks authority to move household goods between points and places in South Carolina. Pursuant to 10 S.C. Code Ann. Regs. 103-817(C)(3)(a), the Applicant timely published notice of this matter in a newspaper of general circulation in the area where authority to operate is sought. No parties intervened, and a hearing on the Application was held on August 28, 2013, in the offices of the Commission.

The parties at the hearing included the Applicant, represented by Matthew E. Pecoy, Esquire, and the Office of Regulatory Staff (“ORS”), represented by Shannon B. Hudson, Esquire. David Fleming of FireMan’s Carry, and John Cole, a real estate broker, testified for the Applicant. George Parker, Manager of the ORS Transportation Department, testified for ORS.

During the hearing, Fleming testified that he had a great deal of experience moving household goods as a fireman, and that he was aware of and intended to comply with the Commission’s regulations concerning household goods movers. Cole testified

with regard to the public convenience and necessity, and stated that another statewide mover was definitely needed. For ORS, Parker testified that he found the Application to be in order. Parker also stated that he could not perform an inspection of any vehicles, because the Applicant had a contract for one contingent on obtaining household goods authority from this Commission.

The Commission also finds the Application to be in order. Additionally, we conclude that the Applicant has demonstrated that he is fit, willing, and able to operate as a household goods mover pursuant to S.C. Code Ann. § 58-23-330 and 10 S.C. Code Ann. Regs. 103-133. Furthermore, we find that the public convenience and necessity is not already being served by existing authorized service. Therefore, the Application should be approved and the Certificate be granted.

IT IS THEREFORE ORDERED:

1. The Application of FireMan's Carry, LLC for a Class E (Household Goods) Certificate of Public Convenience and Necessity is approved for the Applicant to transport household goods between points and places in South Carolina, contingent on the Applicant obtaining a proper truck and equipment for transporting the household goods, and on the truck and equipment passing inspection by ORS.

2. The Applicant shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and by 10 S.C. Code Ann. Regs. 103-100 through 103-241 of the Commission's Rules and Regulations for Motor Carriers, as amended, and 2 S.C. Code Ann. Regs. 38-400 through 38-503 of the Department of Public Safety's

Rules and Regulations for Motor Carriers, as amended, within ninety (90) days of the date of this Order, or within such additional time as may be authorized by the Commission.

3. Upon compliance with S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 10 (1976), as amended, and the Applicant obtaining the truck, equipment, and having the subsequent inspection by ORS, a Certificate shall be issued by the Office of Regulatory Staff authorizing the motor carrier services granted herein.

4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized by this Order shall not be provided.

5. Failure of the Applicant to either (1) complete the certification process by complying with the Office of Regulatory Staff requirements of causing to be filed with the Commission proof of appropriate insurance and an acceptable safety rating within ninety (90) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in the Order being revoked.

6. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



Nikiya Hall, Vice Chairman

(SEAL)